

REMARKS

Reconsideration of the above-identified application in view of the present amendment is respectfully requested. By the present amendment, claims 1-4 and 6-10 are amended. Claim 5 has been cancelled. Claim 11 has been added.

The abstract of the disclosure was objected to because of the inclusion of the implied phrase "The invention relates to", legal phraseology "means", and alleged inconsistency with the drawings. The abstract is herein amended to address these concerns. Accordingly, withdrawal of the objection is therefore respectfully requested.

The drawings were objected to for not showing every feature of the invention specified in the claims. Specifically, the examiner cited the curved support surface in claim 2, and the spaced side wall portions and U- or V-shaped sections in claim 5. A reference number 30 for the curved support surface has been added to the written description and is now shown clearly in Fig. 1. Claim 5 has been cancelled. Accordingly, applicant respectfully requests withdrawal of the corresponding objection to the drawings.

The drawings were further objected to under 37 CFR 1.84 for containing rough lines. Specifically, the examiner cited the structure corresponding to reference numbers 14, 15, and 16. As shown in the attached replacement sheet, Figs. 1 and 2 have been amended to address this issue, and the lines are now shown even more clearly. It is believed that the applicant has addressed the concerns raised in the Office action. Accordingly, applicant respectfully requests withdrawal of the corresponding objections to the drawings.

The specification was objected to for various informalities. Specifically, the specification was objected to for not containing appropriate headings. Applicant has amended the specification to add section headings. In addition, the specification was objected to for not containing reference characters for each part of the invention, specifically the curved support surface in claim 2 and the spaced side wall portions in claim 5. Reference character 30, associated with the curved support surface, has been

added. Claim 5 has been cancelled. Accordingly, it is believed that the applicant has addressed the concerns raised in the Office action and withdrawal of the corresponding objections is respectfully requested.

Claim 3 was objected to for containing typographical errors. Claim 3 has been amended to address these issues, and now states "the support surface extends at least around said second axis (16)." It is believed that the applicant has addressed the concerns raised in the Office action. Accordingly, applicant respectfully requests withdrawal of the corresponding objections to the drawings.

Claims 1-10 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite. Specifically, the examiner stated that the claims were generally narrative and indefinite, failing to conform to current U.S. practice, and cited the phrases "Throttle control device", "bowden cable", and "one common detail". The examiner also objected to claim 1 for claiming a broad range together with a narrow range. Applicant has amended claims 1-10 to address these, and other, issues. Claim 11 has also been added, which now states "wherein the hand held tool comprises a chain saw." As such, applicant believes that claims 1-10 are now written in a form more closely conforming to current U.S. Practice. Accordingly, applicant respectfully requests withdrawal of the corresponding rejection of claims 1-10.

The Examiner further objected to the claim element "corresponding means" in claim 1 as a means plus function limitation that invokes 35 U.S.C. §112, sixth paragraph. Applicant has amended claim 1, which now states "corresponding teeth (19) on the throttle control lever." As such, claim 1 is not written as a means plus function claim and therefore does not invoke 35 U.S.C. §112, sixth paragraph. Withdrawal of the rejection is respectfully requested.

The Examiner also rejected claims 10/8 and 10/9, alleging that the limitation "the first and second springs" in line 2 lacked sufficient antecedent basis. Claim 10 has been amended to address this issue, and now states "the first return spring and second return spring are one-piece formed." As such, there is now sufficient antecedent basis for all of the structure in claim 10. Withdrawal of the rejection is respectfully requested.

Claims 1-6 were rejected under 35 U.S.C. §102(b) as being anticipated by Nagashima (U.S. 6,182,254). Claim 1 states “a wire arm (15) that is turnably arranged about a second axis (16) and that is provided with one or several teeth” and “wherein the wire is coaxially rotatable with the wire arm about the second axis.” Nagashima does not describe such structure.

In distinction, Nagashima teaches a first sector gear 73 engaged with a second sector gear 77 rotatably fitted around a support shaft 75. A throttle cable 17 extends around a pulley 45 and attaches to a distal end portion of a tension lever 78. The throttle cable 17 can be pulled by the tension lever 78 via a guide member 79 and the pulley 45, which is rotatable about a second axis. The examiner alleges on page 7 of the Office action that Nagashima teaches a wire arm, allegedly pulley 45 and tension lever 78. However, as shown in Fig. 12, the pulley 45 and tension lever 78 are separate and distinct structures and neither are provided with teeth. Thus, Nagashima fails to teach a wire arm that is provided with one or several teeth. Furthermore, the throttle cable 17 in Nagashima is not coaxial with the alleged second axis, supporting shaft 75, but instead is coaxial with the pulley 45, which constitutes a third axis. Thus, Nagashima also fails to teach “wherein the wire is coaxially rotatable with the wire arm about the second axis.” Consequently, Nagashima fails to teach the structure of claim 1.

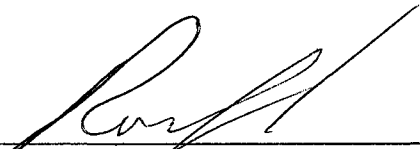
Claims 2-4 and 6-11 depend from amended claim 1 that is believed to be in condition for allowance as set forth above. Accordingly, Applicants respectfully request withdrawal of the corresponding rejection of claims 2-4 and 6-11 as depending directly or indirectly from allowable claim 1.

In view of the foregoing, it is respectfully submitted that the above-identified application is in condition for allowance, and allowance of the above-identified application is respectfully requested. If, for some reason, the Examiner perceives some issue that prevents an immediate allowance of the subject application, the Examiner is explicitly invited to contact the undersigned attorney to discuss such impediment.

If there are any fees resulting from this communication please charge same to our Deposit Account No. 16-0820, our Order No. ABE1-39943.

Respectfully submitted,
PEARNE & GORDON LLP

By:

A handwritten signature in black ink, appearing to read 'Ronald M. Kachmarik', written over a horizontal line.

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